

**ATTORNEY'S DOCKET NUMBER: 2006691-0002
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Brisson, et al.

Serial Number: 10/561,053

Filed: December 16, 2005

Title: PLANT TRANSCRIPTIONAL ACTIVATOR AND USES THEREOF

Mail Stop: Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

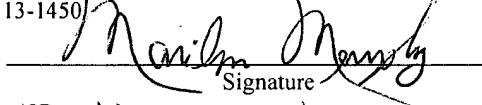
Sir:

Certificate of Mailing

I certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

June 22, 2006

Date


Signature

Marilyn Murphy
Typed or Printed Name of person signing certificate

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. § 371 IN
THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

In response to the Notification Of Missing Requirements Under 35 U.S.C. § 371 in the United States Designated/Elected Office (DO/EO/US) that was mailed by the U.S. Patent and Trademark Office on March 22, 2006 in the above-referenced application, Applicant submits herewith:

- 1) Response to Notification Of Missing Requirements Under 35 U.S.C. § 371 in the United States Designated/Elected Office (DO/EO/US) (2 pages);
- 2) Executed Declaration (3 pages);
- 3) Copy of Notification Of Missing Requirements Under 35 U.S.C. § 371 in the United States Designated/Elected Office (DO/EO/US) (2 pages);
- 4) Credit Card Payment Form authorizing payment of Declaration surcharge fee in the amount of \$130.00 (large entity) (1 page);
- 5) Petition for Extension of Time (1 page);
- 6) Credit Card Payment Form authorizing payment of Extension Fee in the amount of \$120.00 (large entity) (1 page);
- 7) Appointment of Attorney for Valorisation Recherche, Limited Partnership (1 page);
- 8) Appointment of Attorney for University of North Carolina at Chapel Hill (1 page);
- 9) Statement Establishing Right of Assignee to Take Action (37 CFR § 3.73(b) with copy of Assignment for Valorisation Recherche, Limited Partnership (6 pages);

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02 FC:1251

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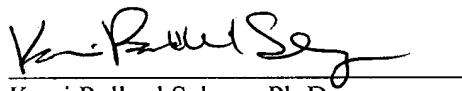
- 10) Statement Establishing Right of Assignee to Take Action (37 CFR § 3.73(b) with copy of Assignment for University of North Carolina at Chapel Hill (4 pages);
- 11) Submission of Sequence Listing under 37 C.F.R. §1.821 (1 page);
- 13) Paper copy of Sequence Listing (4 pages);
- 14) Computer-readable diskette copy of the Sequence Listing; and
- 15) Return receipt postcard.

Applicant requests a one (1) month extension of time from May 22, 2006 to and including June 22, 2006. Enclosed is a Petition for Extension of Time and Credit Card Payment Form authorizing payment of the extension fee in the amount of \$120.00 (large entity).

Applicants note small entity was inadvertently indicated in the application papers as filed, however, fees were paid as large entity. All fees associated with this application should be paid as large entity. It is believed no additional fees and/or extensions are required with this submission, however, if any additional fees or extensions are required, please consider this a petition therefor. Kindly charge any additional fees associated with this filing or credit any overpayments to our Deposit Account No. 03-1721.

Respectfully submitted,
CHOATE, HALL & STEWART LLP

Dated: June 22, 2006



Kerri Pollard Schray, Ph.D.
Reg. No. 47,066

PATENT DEPARTMENT
CHOATE, HALL & STEWART LLP
Two International Place
Boston, MA 02110
Tel.: (617) 248-5000
Fax.: (617) 248-4000

BHJ/KPS/LAW



UNITED STATES PATENT AND TRADEMARK OFFICE

Sobey Ogilvy

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
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 Alexandria, Virginia 22313-1450
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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/561,053	Normand Brisson	2006691-0002 (10662-121US)
INTERNATIONAL APPLICATION NO.		
PCT/CA04/00907		
I.A. FILING DATE	PRIORITY DATE	
06/18/2004	06/20/2003	

MR Response
Due 5-22-06
Final 10-22-06

CONFIRMATION NO. 9433
371 FORMALITIES LETTER

 OC000000018321884

Date Mailed: 03/22/2006

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 12/16/2005
- Copy of the International Search Report filed on 12/16/2005
- Copy of IPE Report filed on 12/16/2005
- Information Disclosure Statements filed on 12/16/2005
- Biochemical Sequence Diskette filed on 12/16/2005
- Biochemical Sequence Listing filed on 12/16/2005
- U.S. Basic National Fees filed on 12/16/2005
- Priority Documents filed on 12/16/2005

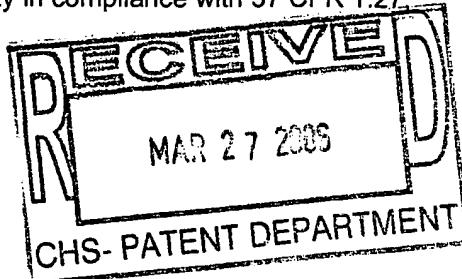
The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27 must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$65 for a Small Entity:



- \$65 Surcharge.

- The paper or compact disc copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 CFR 1.821(e). Applicant must provide a substitute paper or compact disc copy of the "Sequence Listing", as well as an amendment specifically directing its entry into the application OR a substitute computer readable form (CRF) copy of the "Sequence Listing". These two items must be the same. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (571) 272-0951
- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ ebc@uspto.gov

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

CHARITTA A BURT

Telephone: (703) 308-9140 EXT 207

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/561,053	PCT/CA04/00907	2006691-0002 (10662-121US)